

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LINDELL SWINSON)	
)	
v.)	Civil Action No. 07-26 Erie
)	
STEWART GREENLOAF, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

_____ Plaintiff's civil rights complaint was received by the Clerk of Court on February 21, 2007 and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The chief magistrate judge's oral report and recommendation, entered verbally on the record during a telephonic motion hearing held on September 5, 2007 [29] [30], recommends that the Plaintiff's motion for temporary restraining order [27] be denied. The parties were allowed ten (10) days in which to file objections. Plaintiff and defense counsel were both present for the telephonic motion hearing and received notice at that time. No objections were filed. After de novo review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 2nd day of October, 2007;

IT IS HEREBY ORDERED that the Plaintiff's motion for temporary restraining order [27] be and hereby is DENIED.

The report and recommendation of Chief Magistrate Judge Baxter, entered orally on the record on September 5, 2007 [29] [30], is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN
Sean J. McLaughlin
United States District Judge

cc: all parties of record
Chief U.S. Magistrate Judge Baxter